

FILED

UNITED STATES COURT OF APPEALS

APR 10 2014

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

TRUMP UNIVERSITY, LLC, a New
York limited liability company, AKA
Trump Entrepreneur Initiative and
DONALD J. TRUMP,

Defendants - Petitioners,

v.

TARLA MAKAEFF, on behalf of herself
and all others similarly situated; et al.,

Plaintiffs - Respondents.

No. 14-80031

D.C. No. 3:10-cv-00940-GPC-
WVG

Southern District of California,
San Diego

ORDER

Before: GOODWIN and CANBY, Circuit Judges.

The petition for permission to appeal is untimely because it was filed on March 10, 2014, more than 14 days after the February 21, 2014 district court order. *See* Fed. R. Civ. P. 23(f); Fed. R. App. P. 5(a)(2); *see also Beck v. Boeing Co.*, 320 F.3d 1021, 1022 (9th Cir. 2003) (per curiam). Petitioners' contention that the provisions of Federal Rule of Civil Procedure 25(a)(2)(B) apply are unpersuasive, as a petition for permission to appeal is neither a "brief or appendix."

Accordingly, we deny this petition for permission to appeal as untimely.

All pending motions are denied as moot.